

**ADDENDUM TO
COLLECTIVE BARGAINING AGREEMENT**

between

King County

and

International Brotherhood of Teamsters

Local 174

Representing Scale Operators in the Department of Natural Resources and Parks, Solid
Waste Division

**Unless specifically modified or excluded in this addendum, provisions of the Local 174
Collective Bargaining Agreement will apply to Scale Operators.**

Expires December 31, 2005

ARTICLE 4: HOLIDAYS (Replaces Article 4)

4.1. Regular, probationary, and term-limited temporary employees shall be granted the following holidays with pay:

New Year's Day	January 1st
Martin Luther King, Jr. Day	Third Monday in January
Presidents' Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	First Monday in September
Veteran's Day	November 11th
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	
Christmas Day	December 25th

and any special or limited holidays as declared by the President of the United States or the Governor of the State of Washington and as approved by the County Council.

4.2. Employees eligible for holiday pay as defined in Section 4.1 shall receive two (2) additional personal holidays. These days shall be administered through the vacation plan. One (1) day will be added to each employee's vacation accrual during the first pay period of October and one (1) day will be added during the first pay period of November of each year. These days can be used in the same manner as any vacation day earned.

4.3. Holidays are observed on the day they occur.

4.4. All employees may be required to work holidays. All work on a holiday shall be paid at the premium rate of one and one-half (1-1/2) times the employee's regular rate of pay, in addition to the regular holiday pay. Hours worked on a holiday are used for the purposes of determining weekly overtime in accordance with Section 9.17 herein. Holiday hours paid are not used for the purposes of determining weekly overtime except as allowed in Section 4.8.

1 **4.5.** Employees shall receive holiday pay prorated to reflect their regularly scheduled
2 workday. Eligible employees who work a forty (40) hour workweek shall receive compensation for
3 the holiday on the basis of eight (8) hours for a 5/8 schedule and ten (10) hours for a 4/10 schedule.
4 Eligible employees on a 7/10 schedule shall receive compensation for the holiday on the basis of
5 seven (7) hours. No employee shall be granted more than ninety-six (96) hours of holiday time in a
6 calendar year.

7 **4.6.** Regular fulltime employees on a 7/10 schedule will be paid ten (10) hours pay for the
8 following three (3) holidays which fall on their on-shift: Thanksgiving Day, Christmas Day and New
9 Year's Day. If the holiday falls on the off-shift, Section 4.5 will apply.

10 **4.7.** Regular part-time employees with an assigned site and schedule shall be entitled to the
11 following three (3) holidays which fall on their on-shift without a reduction in pay: Thanksgiving
12 Day, Christmas Day and New Year's Day. If the holiday falls on the off-shift, Section 4.5 will apply.

13 **4.8.** Holidays paid, but not worked on-shift shall be recognized as time worked for purposes
14 of determining weekly overtime. Holidays paid, but not worked off-shift shall not be recognized as
15 time worked for purposes of determining weekly overtime.

16 **4.9.** Regular fulltime Scale Operators on their off shift shall be given the first opportunity (in
17 rotation order) to work on a holiday at the premium rate of pay before offering such work to off shift
18 regular part-time Scale Operators.

19 **4.10.** An employee must be in a pay status either the employee's scheduled working day
20 before or the employee's scheduled working day after a holiday in order to receive holiday pay. An
21 employee leaving County employment the day prior to the holiday shall not receive holiday pay.

22
23 **ARTICLE 5: VACATIONS (Modifies Article 5)**

24 **Section 5.2.** Does not apply to employees covered under this Addendum.

25 **Replaces 5.5.A. Vacation Scheduling.**

26 **1.** Vacation preference requests for a period beginning May 1 and ending the
27 following April 30 must be received by management no later than April 1. The vacation schedule
28 shall be posted on or before April 15. Vacation requests received after April 1 shall be granted, in

1 the order received, when possible and consistent with the efficient functioning of the division.

2 2. In the event of scheduling conflicts within the division, classification seniority will
3 prevail.

4 **5.13.** Vacation accruals shall be posted each pay period.

5
6 **ARTICLE 6: SICK LEAVE (Modifies Article 6)**

7 **Replaces 6.1.** Regular, probationary and term-limited temporary employees shall accrue sick
8 leave benefits at the rate of .04616 hours for each hour in pay status, exclusive of overtime, up to a
9 maximum of eight (8) hours per month. Except that sick leave shall not begin to accrue until the first
10 of the month following the month in which the employee commenced employment. The employee is
11 not entitled to sick leave if not previously earned.

12 **6.14.** Sick leave accruals shall be posted each pay period.

13
14 **ARTICLE 7: PAID LEAVE (Modifies Article 7)**

15 **Replaces 7.5. Jury Duty.** An employee eligible for paid leave who is called for jury duty
16 will be entitled to regular pay for all on-shift work hours missed due to jury duty. The employee
17 should deposit his or her jury duty fees, excluding mileage, with the Department of Finance.
18 Employees must contact their supervisor when dismissed from jury duty during regularly scheduled
19 working hours and may be required to report back to work.

20
21 **ARTICLE 8: MEDICAL, DENTAL AND LIFE INSURANCE PROGRAMS & PENSION**

22 **Modifies 8.2.** Effective January 1, 2004, the County shall pay into the Western Conference
23 of Teamsters Pension Fund on behalf of each employee who is employed as a Scale Operator one
24 dollar (\$1.00) for every hour for which compensation was paid not to exceed 2080 compensated
25 hours per year.

ARTICLE 9: CLASSIFICATION AND COMPENSATION (Modifies Article 9)

Sections 9.3, 9.6, 9.7, last sentence of 9.10.A, 9.10.B, 9.11 and 9.15 do not apply to employees covered under this Addendum.

Adds to 9.8. Lead Compensation. All designated Scale Operator Leads required in writing to carry pagers or cell phones during their normally scheduled time off shall be compensated at the hourly rate of \$0.75 (seventy five cents) for all time spent while so assigned.

9.9.D. Mandatory Off-Shift Assignments. The County reserves the right to assign off-shift work, to be paid at the premium double time (2X) rate, in inverse order of seniority on a rotating basis, if there are no volunteers for the work. If a Scale Operator is assigned to mandatory work during his/her off-shift, but does not work, this shall be treated as an unauthorized absence unless the supervisor has approved the absence. Hours already paid at the double time rate are not used for the purposes of determining weekly overtime.

Adds to 9.12. Personal Vehicle. For Scale Operators without an assigned site, Cedar Hills shall be designated as the regular work place for purposes of calculating the mileage reimbursement.

Replaces 9.16. Off-Shift Work. Regular Scale Operators who desire to work on their off-shift shall indicate their availability and shall be offered such work if available in order of seniority on a rotating basis. Such work shall be scheduled the Saturday prior to the next week beginning on Monday, except in case of necessity arising at a later time.

A. If any employee who has indicated availability for work on their off shift is missed for work assigned, due to a good faith error on the County's part, the employee may request and shall receive the next available opportunity to work an amount of hours equal to or greater than the hours missed. Hours so assigned shall be at the same rate of pay as hours missed.

B. Scale Operators who decline off-shift hours at Cedar Falls or Cedar Hills shall not lose their seniority placement for other off-shift work assignments.

C. Scale Operator Lead Off-Shift Work.

1. Scale Operators designated as Lead on a fulltime basis shall not be eligible to work regular Scale Operator assignments on the off-shift unless all regular fulltime and regular part-time scale operators have been offered and declined the work. If an alternate Lead is designated

as fulltime Lead for a period of one shift or more, the same shall apply during that assignment period.

2. Fulltime Scale Operator Leads shall have the opportunity to work off-shift Lead assignments before the off-shift alternate Lead, but after the on-shift alternate lead.

3. Fulltime Scale Operator Leads are not included in the mandatory rotation for regular Scale Operator assignments. If an alternate Lead is designated as fulltime Lead for a period of one shift or more, the same shall apply during that assignment period.

9.17. For purposes of this Agreement, all regular straight-time hours in pay status will be used for purposes of determining overtime thresholds.

9.18. **Bank Deposits.** Scale Operators making bank deposits at the conclusion of their daily shifts shall be paid an amount based on overtime and mileage reimbursement on those days they physically transport and place funds in a designated depository. This premium is paid in recognition of the hazards associated therewith and as additional compensation for the use of their personal vehicles in said transport.

9.19. **Ferry Tickets.** Ferry tickets shall be provided, as necessary, to Scale Operators for assignments on Vashon Island.

ARTICLE 10: WORK SCHEDULES AND SHIFT HOURS (Modifies Article 10)

Sections 10.1, 10.2, 10.3, 10.4, 10.5, 10.7, 10.8 and 10.9 do not apply to employees covered under this Addendum.

Replaces 10.1. Fulltime Scale Operators. The standard regular fulltime work schedules shall be forty (40) hours a workweek, except for a 7/10 work schedule, inclusive of the meal period. Each work schedule will provide for a minimum of two (2) consecutive days off, at least one of which will be a Saturday or a Sunday. The working hours of each day shall normally be between 6:00 a.m. and 8:00 p.m., except when assigned to work a second and/or third shift as provided under Section 10.3.

Replaces 10.2. Regular Part-Time Scale Operators.

A. Regular part-time employees shall normally be assigned to either the A shift or the B shift. Regular part-time employees must be available to work each day of their shift and shall be

1 assigned to work as needed, in order of seniority, without restriction as to location of assignment, day
2 of assignment, shift (day, second, third) or work performed. Regular part-time employees shall be
3 paid for actual hours worked. If a regular part-time employee is called to work during his/her on-
4 shift but does not work, the absence shall be treated as unauthorized unless the Supervisor has
5 approved leave or the Scale Operator has already worked a shift that day.

6 **B.** Regular part-time employees who work sixty-six (66) hours or less during their on-
7 shift are eligible for make-up hours on the off-shift. If work is available during the off-shift period,
8 regular part-time employees shall be contacted on the basis of seniority and may work up to seventy
9 (70) hours in a fourteen (14) day, two (2) shift period. If work is offered to a regular part-time
10 employee during the off-shift, the employee is not required to accept it and the rejection of work shall
11 not be treated as an unauthorized absence. If make-up work is offered, but declined by the employee,
12 this shall be treated as hours worked for scheduling purposes.

13 **C.** Make-up work shall be offered to off-shift regular part-time employees after all
14 regular part-time employees on-shift have been assigned.

15 **D.** Regular fulltime Scale Operators on their off-shift shall be given the first
16 opportunity (in rotation order) to work on a holiday at the overtime rate of pay before offering such
17 work to off-shift regular part-time Scale Operators as make up.

18 **E. Regular Part-time Scale Operators – Rural Site Positions.** A regular part-time
19 Scale Operator shall be assigned to either the A shift or the B shift for each of the following Transfer
20 Stations: Cedar Falls, Vashon, and Enumclaw (“rural site(s)”). The regular part-time “position”
21 shall be a bid position, however, if no bids are received, the rural site hours shall be assigned on a
22 daily basis within the regular part-time pool, in accordance with Section 10.2.A.

23 **1.** The regular part-time Scale Operator assigned to each of the Transfer
24 Stations listed above shall be assigned to those hours/days at the applicable Transfer Station for
25 which the County determines that Scale Operator staffing is necessary. Such assignment will apply
26 regardless of other available regular part-time work on the days when the regular part-time Scale
27 Operator is assigned to work at a rural site.

28 **2.** On the days that the rural site Transfer Station is closed, the assigned

regular part-time Scale Operator will be available and assigned in the same manner as other regular part-time Scale Operators in accordance with Section 10.2.A.

3. Make-up hours for regular part-time Scale Operators assigned to rural sites shall be in accordance with Article 10, Section 2.B.

4. Regular part-time Scale Operators assigned to rural sites expend vacation and sick leave benefits based upon the hours of work at the rural site on that day of the shift.

Replaces 10.3. Second and Third Shifts

A. The County may establish a second shift. When the majority of the hours worked by an employee assigned to the second shift are worked after 4 p.m. but before 12 a.m. (midnight), the entire shift worked will be paid a ten percent (10%) shift premium on the employee's base hourly rate of pay.

B. The County may establish a third shift. When the majority of the hours worked by an employee assigned to the third shift are worked after 12 a.m. (midnight) but before 6 a.m., the entire shift worked will be paid a fifteen percent (15%) shift premium on the employee's base hourly rate of pay.

Adds to 10.6. Shift Bidding. Add Scale Operators.

10.13. If an employee is scheduled to work but no work exists, the County must notify the employee at least two (2) hours prior to the beginning of the employee's shift or a four (4) hour minimum pay will be paid.

10.14. No employee shall be required to work a shift that begins less than eight (8) hours after the end of a previously worked shift. For regular part-time employees who decline to work such a shift, the hours would not be treated as hours offered.

10.15. Scale Operators shall be guaranteed a minimum of four (4) hours for each day assigned to work. Travel time between work locations will be compensated and will be included when calculating the four (4) hour minimum. Employees are also eligible for mileage reimbursement, under Section 9.12, when using a personal vehicle to travel between work locations.

10.16. The County will staff at least one (1) Scale Operator at transfer stations when scales are open for business; except at Enumclaw and Vashon when closed to the public.

ARTICLE 11: MISCELLANEOUS (Modifies Article 11)

Sections 11.2, 11.3, 11.4, 11.8 and 11.14 do not apply to employees covered under this Addendum.

Replaces 11.9. Labor-Management Committee. Regularly scheduled Labor-Management Committee meetings will be held on at least a quarterly basis. The purpose will be to deal jointly with issues of mutual interest and to maintain and improve Labor-Management relations. Agenda items shall be submitted by both Labor and Management and shall be limited to items of a group, rather than an individual, interest and concern.

11.16. Open Scale Operator Positions. Open scale operator positions other than those created by reductions in force at Solid Waste sites will be offered to all Scale Operators in order of seniority.

11.17. Bulletin Boards/FAX/Electronic Mail. The County agrees to permit the Union to post on County bulletin boards announcement of meetings, election of officers, and any other Union material, providing there is sufficient space, beyond what is required by the County for normal operations. A Shop Steward may use the County's FAX for local numbers and its email system for communications with a member and the Union on an incidental, individual basis. Email use shall be in accordance with Section 2.1.6 of the County's Email Policy as modified.

ARTICLE 14: SENIORITY (Modifies Article 14)

Sections 14.1, 14.2 and 14.3 do not apply to employees covered under this Addendum.

Replaces 14.1. Seniority shall be defined as follows:

A. Length of service in classification within the bargaining unit.

Replaces 14.3. In the event that two (2) employees have the same seniority, the County shall determine which employee, in the event of layoff, shall be laid off.

Adds to 14.10. Add G. Scale Operator

14.12. Lateral Bumping. Lateral bumping may occur in the following situations:

- If a Scale Operator position is eliminated.
- If there is a change in shift start time of greater than one (1) hour (except for regular

seasonal changes).

- If there is a change in shift start time of one (1) hour or less and within six (6) months another change is made that alters the original shift start time by more than one (1) hour (except for regular seasonal changes).
- If there is a change in which days of the week the station is open that alters the work schedule (except for regular seasonal changes).

In the above situations, the employee who held the effected position has the option to bump any less senior employee in the class; any employee who is bumped by a more senior employee can bump any less senior employee in the class. Bumping shall occur pursuant to the following procedures, but may be modified on a case by case basis with the agreement of both the Union and the County:

Step 1. Affected employees submit a list of shift/location preferences in order of priority.

Step 2. All affected employees in the classification and the union will be notified in writing of the position elimination at least thirty (30) days prior to the event occurring.

Step 3. This process will include the employee (or employees) whose position(s) has/have been eliminated, plus all regular fulltime and regular part-time bargaining unit employees with less seniority than the most senior employee whose position has been eliminated.

Step 4. All affected regular fulltime and regular part-time employees bid for position preferences in order of priority. The supervisor shall provide a formal position list to each affected employee with the notice provided per Step 1 above, which will include all work locations and shifts available for bid.

Step 5. All affected employees will be required to submit position preferences in order of priority to their immediate supervisor. All affected employees will be given fourteen (14) calendar days to submit their preferences to the immediate supervisor after receipt of the formal position list.

Step 6. Within seven (7) calendar days, the Division shall provide to the Union and the employees the results of the lateral bumping process, prior to the implementation of the new

1 assignments. The results should include the schedule for implementation and a list of all employees'
2 work shifts and locations.

3 **Step 7.** New position bids will be requested for each occurrence that could result in a
4 lateral bumping process within the classification.

Department of Natural Resources, Solid Waste Division (Rates of Pay, January 1, 2004 through July 15, 2004)				
Class Code	MSA Code	PeopleSoft Code	Classification Title	Hourly Rate
4102200	8382	413202	Scale Operator - Base Rate	\$17.91/hr
4102200	8747	413103	Scale Operator - Cedar Falls	\$19.17/hr
4102200	8748	413104	Scale Operator - Cedar Hills	\$20.59/hr
4102200	8091	413105	Scale Operator Lead - Cedar Hills plus 7.5%	\$22.13/hr

Department of Natural Resources, Solid Waste Division (Rates of Pay, July 16, 2004 through December 31, 2004)				
Class Code	MSA Code	PeopleSoft Code	Classification Title	Hourly Rate
4102200	8382	413202	Scale Operator - Base Rate	\$18.27/hr
4102200	8747	413103	Scale Operator - Cedar Falls	\$19.56/hr
4102200	8748	413104	Scale Operator - Cedar Hills	\$21.01/hr
4102200	8091	413105	Scale Operator Lead - Cedar Hills plus 7.5%	\$22.59/hr

19.1. This Addendum shall be effective upon full and final ratification and approval by all requisite means by the Council and shall be in force and effect through December 31, 2005.

19.2. Contract negotiations for a successor agreement may be initiated by either party upon written notification not later than sixty (60) days before the expiration of this Addendum.

By: _____

SIGNATORY ORGANIZATION:

Date _____